



# FACILITY COMPLIANCE AUDIT REPORT

## Division of Waste Management

### Solid Waste Section

#### UNIT TYPE:

Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: HALIFAX
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM		PERMIT NO.: CCB 0022 No Permit Required
CDLF		Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF		FILE TYPE: COMPLIANCE

**Date of Audit:** January 6, 2010

**Date of Last Audit:** December 18, 2007

#### FACILITY NAME AND ADDRESS:

J.S. Turner Sawmill Structural Fill  
Off Mulberry Street  
Weldon, NC 27890

**GPS COORDINATES:** N: 36.42194      W: 77.60419

#### FACILITY CONTACT NAME AND PHONE NUMBER:

Job S. Wommack, 252-536-2424, cell- 919-624-0201

#### FACILITY CONTACT ADDRESS:

Job S. Wommack  
300 West 10<sup>th</sup> Street  
P.O. Box 431  
Weldon, NC 27890

#### AUDIT PARTICIPANTS:

Mary Whaley, NCDENR, Solid Waste  
Ben Barnes, NCDENR, Solid Waste

#### STATUS OF PERMIT:

No Permit Required

#### PURPOSE OF AUDIT:

Comprehensive Audit

#### NOTICE OF VIOLATION(S):

##### **15A NCAC 13B .1705 DESIGN, CONSTRUCTION, AND OPERATION FOR STRUCTURAL FILL FACILITIES**

*(a) states "The structural fill facility must be designed, constructed, operated, closed, and maintained in such a manner as to minimize the potential for harmful release of constituents of coal combustion by-products to the environment or create a nuisance to the public. (e) The coal combustion by-product structural fill facility shall be effectively maintained and operated as a non-discharge system to prevent discharge to surface water resulting from the operation of the facility. (f) The coal combustion by-product structural fill facility shall be effectively maintained and operated to ensure no violations of ground water standards, 15A NCAC 2L. "*

**15A NCAC 13B .1705** *(j) states "All structural fills shall be covered with a minimum of 12 inches compacted earth, and an additional surface six inches of soil capable of supporting native plant growth. "*

**15A NCAC 13B .1706 CLOSURE OF STRUCTURAL FILL FACILITIES** *(b) states "The final surface of the structural fill shall be graded and provided with drainage systems that: (1) Minimize erosion of cover materials; and*

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*(2) Promote drainage of area precipitation, minimize infiltration and prevent ponding of surface water on the structural fill. (c) Other erosion control measures, such as temporary mulching, seeding, or silt barriers shall be installed to ensure no visible coal combustion by-product migration to adjacent properties until the beneficial end use of the project is realized."*

Both sites have not been maintained so as to minimize the potential for harmful release of constituents of coal combustion by-products to the environment or create a nuisance to the public. The northern site has deep gullying in several places and the coal ash is exposed and washing down the slope, out of the footprint of the site. There is a large area, approximately 100 feet along the base of the slope, extending out on the flat area, out of the footprint of the site, by 50 feet, where it looks like the coal ash is being dug out of the base of the slope. **All coal ash is to be kept within the footprint of the submitted documentation of the site.** The sites have minimal, 0-6 inches of soil, acting as cover. **There must be 12 inches of compacted soil and 6 inches of soil capable of supporting plant growth.** Both sites were not graded to minimize erosion. **The sites need to be graded and provided with drainage systems to prevent erosion of the soil. All corrections are to be made within 60 days of receipt of this audit.**

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. For the violation(s) noted here, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

**STATUS OF PAST NOTED VIOLATIONS:**

On January 22, 2008 a Notice of Violation was written to Job S. Wommack, property owner of the CCB structural fill sites. Land clearing debris and demolition debris had been dumped at the top of the southern site. There was also mixed waste dumped between the north and south mounds, from which, Mr. Wommack was going to salvage the metal.

**15A NCAC 13B .0201(a)** which states *that "no person shall establish, or allow to be established, on his land a solid waste disposal facility, or otherwise treat, store, or dispose of solid waste unless a permit for this facility has been obtained from the Division."*

On April 17, 2008, the site was looked at and the two sites had been cleaned up. The NOV was resolved.

**AREAS OF CONCERN AND COMMENTS:**

1. Plumblin Engineering Corp. P.A. acted as the engineering firm and the contractors for the site.
2. The coal combustion by-products came from Roanoke Valley Energy. The contact person for Roanoke Valley Energy is Glen Outland, PO Box 351, Weldon, NC 27890, 252- 536-3200.
3. The Section received the necessary paperwork for the notification of the site as a CCB structural fill site and in a letter dated September 9, 1998, the Section stated that coal ash could be brought to the site.
4. On August 2, 2001, paper work for a combined site of an 11.5 acre site to the south of the sawmill and a 13.5 acre site to the north of the sawmill had been received and a notification letter was sent to the owner of the property.
5. The Certificate of Closure was sent to the Solid Waste Section on February 14, 2006. The property was recorded as having 905,238 cubic yards of coal combustion by-products on it. The recordation is in Book 2119, Page 170.
6. On February 20, 2003, a revision to the notification dated April 30, 2001, was submitted to the Solid Waste Section by Job S. Wommack, property owner. It stated "In accordance with Section .1708(4) and .1708(2) regarding Other Uses for Coal Combustion By-Products, bottom ash is proposed to be used as a base material for access roads and the lumber receiving and drying yards. Additionally, bottom ash is proposed to be used as a traction control material on the surface of the site." The surface of the site is bottom ash and soil is used on the side slopes.
7. There is a low lying wet looking area within 10 feet of where the coal ash looks like it had been being dug out on the northern pile. **15A NCAC 13B .1704 SITING FOR STRUCTURAL FILL FACILITIES** (a) states "Coal combustion by-products used as a structural fill shall not be placed: (1) Within 50 horizontal feet of a jurisdictional wetland unless after consideration of the chemical and physical impact on the wetland, the U.S. Corps of Engineers issues a permit or waiver for the fill; (2) Within 50 horizontal feet of the top of the bank of a perennial stream or other surface water body;" **Coal ash must be kept at least 50 feet from any body of water.**

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Please contact me if you have any questions or concerns regarding this audit report.



Mary Whaley  
Environmental Senior Specialist  
*Regional Representative*

Phone: 919-693-5023.

Delivered on : <u>January 25, 2010</u> by		Hand delivery		US Mail	X	Certified No. 70072680000179956678
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cc: Mark Poindexter, Field Operations Branch Supervisor  
Dennis Shackelford, Eastern District Supervisor  
Donald Herndon, Compliance Officer  
Shawn McKee, Compliance Officer  
E.B. Grant, Plumblin Engineering Corp. P.A., Certified No.7007 2680 0001 7995 6685  
Glen Outland, Roanoke Valley Energy, Certified No. 7007 2680 0001 7995 6661



Gully showing minimal soil cover and exposed coal ash. This is to the north of the sawmill.



Exposed coal ash with minimal soil cover.



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Exposed coal ash at the base of the side slope at the mound to the north of the lumber mill



More exposed coal ash in an area close to the previous picture. It looks like there has been digging in the area.



Side slope of coal ash pile to the south of the sawmill



Access road showing gullying and exposed coal ash